CONTINUED FROM FIFTH PAGE.

the regular establishment and eighteen of the temporary establishment, it being expected that ail of the latter will be mustered out prior to the date of the latter will be mustered out prior to the date of the next report.

In the report of the Paymaster General the organisation of the pay department is discussed; the advantages of the present system over the old system of regimental paymasters pointed out, the causes why payments cannot be made monthly, or even more frequently and regularly than now, stated, and the impracticability of reducing the present authorized number of paymasters (sixty), even with a large reduction of the army, demonstrated.

Attention is asked to the statement that while under the old system, during the war of 1812, the defaications and expenses amounted to over seven per cent. on the amount disbursed, under the total iosses, deraleations and expenses amounted to the state war the total iosses, deraleations and expenses amounted to the state war the total iosses, deraleations and expenses amounted to less than three-fourths of one per cent on the sums disbursed. During the Mexican war, under the present system, not a dollar was lost by defalcation.

The disbursements for reconstruction purposes

sums disbursed. During the Mexican war, under the present system, not a dollar was lost by defalcation.

The disbursements for reconstruction purposes have been \$2,261,415 02. There remains an available balance of \$467,626, which, it is believed, will cover all future expenses; but as the specific amount for each military district is fixed by law authority is saked for the transfer of amounts from districts not requiring them to others insufficiently supplied.

During the year claims for additional bounty were allowed to the number of 241,092, involving an expenditure of \$25,649,157. Chaims were rejected to the number of 19,407, and 199,164 were still unsettled at the close of the fiscal year. Since the date of the net 435,159 claims have been received, 537,091 paid, 32,403 rejected and 16,765 were yet unsettled at the date of the Paymaster General's report. The total disbursements on these claims have been \$37,764,774, to which must be added the claims settled by the accounting officers of the freasury bringing the aggregate up to more than \$54,000,000. The expense of settling these claims has been kept within div-sixths of one per cent on the amount disbursed, or about the average cost of seventy cents per claim. It is recommended that the 4th of March next be fixed as the date beyond which no more claims will be received, and that all claims then remaining unsettled be transferred to the Second Auditor of the Treasury for disposition.

All officers of the Corps of Engineers except fifteen are employed on various special and detached duties—engaged upon the permanent national defences, survey of the lakes, improvement of rivers and harbors, explorations, command and anstruction of engineer troops, and in charge of the public buildings, grounds and works in the District of Columbia.

Work on the permanent defences has been continued on a smaller scale, and reduced appropriations of the corps of the corps of the continuers of the continuers and works in the continuers and the continuers and the continuers and t

Columbia.

Work on the permanent defences has been continued on a smaller scale, and reduced appropriations are asked to continue such work, as is not liable to future modification.

Experiments with iron targets, shields and other structures designed to resist heavy ordnauce, have been and are being continued.

Three engineer depots have been established, at each of which engineer trains and materials have been collected and will be held ready for service. Estimates amounting to \$40,000 for erecting and continuing the erection of engineer barracks are submitted.

abmitted.

Extensive surveys for the improvement of rivers backers have been and are being made, and the and harbors have been and are being made, and the preparation of the necessary plans is being con-ducted with great energy. The report of the Chief

of Engineers, with accompaniments, will supply the Information essential to legislative action.

The late appropriation of §1,500,000 has been distributed, as designed by law, among those works where most required. Such modification of the contract system prescribed for these works, as experience has shown to be advisable, is again carnestly recommended.

where most required. Such modulcation of the contract system prescribed for these works, as experience has shown to be advisable, is again carnestly recommended.

The apprepriations for public works in the District of Columbia have been well applied and with axisfactory results.

Geographical and geological explorations and surveys in the far West have been continued during the year. These surveys, and the military recommended to year, afford valuable information for military redomoissances made by engineer officers accompanying troops, afford valuable information for military and other national purposes.

The several appropriations required for the various purposes of the engineer department are heartly recommended to favorable consideration.

The expenditures of the Ordinance Department during the last fiscal year, for all purposes, inclusive of the payment of war claims, were a lattle more than \$3,00,000—less than three-fitties of the expenditures of the preceding year.

There are twenty-seven military arsenals in all, including the national armory at Springfield. The work done at them by the hired mechanics and cultisted men of the ordinance corps, thas been economically and satisfactorily performed.

Measures have been taken for the construction of the Rock Island bridge, the sale of damaged and unserviceable ordinance stores and the sale of St. Louis and Liberty arsenals, all of which were provided for by law.

Legislative authority for the sale of the arsenals at Rome, New York, and Vergennes, Vermont, and the lands at Harpec's Ferry is again recommended, and the establishment of an arsenal at Omaha or other suitable point again advocated.

Highly favorable reports of the breech-loading converted Springfield musket have been received from those portions of the army where it has been distributed. Further supplies are now in preparation.

A few smooth bore and rine guns, of heavy calibre are being made, for trial of their power and endurance. When the most suitable kinds have been determined, a large numbe

Large reductions of the officers and agents of the bureau have been made during the year, and ar-rangements are in progress to close it up by the lst of January next, except the educational and claims

divisions.

The adandoned lands yet in possession of the bureau are mostly worthless for cultivation, and will be restored at once or dropped from the returns.

Claims of colored soldlers to the number of nearly 2,000 have been settled through the bureau, without cost to the claimants, and a lattle more than 3,800 remain unsettled. Treasury certificates and chacks for settlement of claims of colored soldlers and marines have been collected by the bureau to the number of 17,000, and to the value of nearly \$3,5000,000.

Transportation has been furnished to 6,418 persons—less toan one-third of the number transported has year.

Transportation has been furnished to 6,41s persons—iess tuan one-third of the number transported hast year.

Over 150,000 persons have received medical treatment during the year; twenty-seven hospitals have been closed, and twenty-one yet remain; also six orphan asylums, which are in charge of the bureau. Efforts have been made to turn over to the local civil authorities the charge of the sick, the infirm and the instancy and in some instances with success. The sanitary condition of the freed people has, in general, improved.

Subsistence supplies have been issued to a daily average of 16,000 persons, the number of rations issued during the year being 2,802,478. For a part of these supplies hens have been taken upon the crops. The schools have in the main progressed, though in some places seriously injured by local opposition and want of means. Private associations have continued their liberal support, and teachers have labored faithfully, though in many cases beset with difficulties. The number of day and might schools is 1,831, with 2,296 teachers and 104,327 pupils. The aggregate number of Sunday and day schools of all kinds is 4,026, with 241,839 schools. The amount expended for support of schools during the year was \$982,522. This does not include the expenditures by benevotent societies, estimated at \$700,000, and by freedmen, estimated at \$300,000. Fifteen normal schools and colleges have been chartered or incorporated in different parts of the country.

The total expenditures of the bureau during the decal year were \$2,877,041. The palance on hand was \$4,62,007.

The Commissioner recommends appropriations to

13.622,020.

The Commissioner recommends appropriations to econtinue hospitals at New Orleans, Vicksburg, Richanoud and Washington.

To dispose of the school buildings it is proposed to transfer them to the corporations and trustees two how have them in charge, guarantees to be taken that they shall not be diverted from Ineir proper uses. A grant of public lands in aid of the schools of the District of Columbia, of all grades, is recommended.

For an account of the operations of the bureau in the soverm states reference is made to the report of the Commissioner.

MILITARY ACADEMY.

The corps of cadeta, on June 1, 1808, numbered 210 members, under the care and instruction of a superintendent, eight professors and thirty-two officers of the army. Fity-four members of the first class were graduated Juce 15, and appointed to the army. During the past academic year nitury-six candidates have been admitted into the academy, and thirty-seven rejected. The cadets now at the academy number 223, which, inder existing laws, an eventually be increased to 220. The necessity of a further increase is again mentioned, and the superiority of the Military Academy over all other plans is reported to the inspector of the annual board of visitors, both to the academy and the government, is referred to, and the report of the board for itsels is stateded to the inspector's report. The board report very favorably upon the discipline, instruction, administration and fiscal academy and the government. They highly command the public value of the institution, and ask for it a generous support. The instruction, and ask for it a generous support. The laworable report of the board is concurred in by the inspector from pessonal observation during his semi-annual inspections. The charges once but no longer directed against the Military Academy, of its alleged costiliness, exclusiveness and the disloyalty of its graduates, are referred to and refuted by lacis and figures, among the most interesting of which are the statements that during the late war, of the graduates from all the southern States, one-haif remained loyal; that of the graduates around the academy and that of the graduates councered it by the present high standing at hospitaless to a deal to will as present high standing at hospitaless to a deal to will be present high standing at hospitaless to a deal to will be present high standing at hospitaless to a deal to will be present high standing at hospitaless to a deal to

This school was organized at the close of inci by

order of the general of the army, and Brevet Major General Barry, Colonel Second artiflery, was assigned to its command. It was established at Fortress Monroe, and one battery from each of the five regiments of artiflery was ordered to that post as the instruction batteries for the first year.

The course of instruction adopted for the school is both theoretical and practical embracing a variety of subjects, and is pursued both by the officers and non-commissioned officers of the batteries. The practical course for the present year has just been completed by an examination of the officers under instruction. The theoretical part of the course is now in operation, and will likewise be closed by an examination before the 1st of April next. It embraces mathematics, military surveying and engineering, artiflery, military surveying and engineering, artiflery, military instory and military, international and constitutional law.

It is believed that this school will supply a long felt want in the artiflery arm, and prove greatly beneficial to the military service.

Expresspruches and Expresses of the War Department for the last fiscal year were \$65,743,004, to which is to be added the sum of \$3,961,406 old war debts paid during the year, making the total expenditures of the department \$78,704,501. The appropriations for the present fiscal year were \$35,400,557; the estimated deficiencies for the current year are \$15,975,000. It is estimated that the sum of \$3,682,232 sh will be required for the expenses of this department for the fiscal year ending June 30, 1870. There will be a surplus of \$60,240,221 from unexpended appropriations to be paid into the Treasury at the close of the present fiscal year ending June 30, 1870.

NEW YORK CITY

THE COURTS.

dress to the Jury for the Defence.

UNITED STATES DISTRICT COURT The Watson and Crary Whiskey Case-Close

Before Judge Blatchford. The United States vs. Thirty-eight Hundred Gallon. of Distilled Spirits.—The hearing in this case was resumed this morning. A good deal of interest is manifested in the case, as it is the first prosecution of any magnitude brought for the condemnation of property seized by the internal revenue authorities for frauds upon the government in evasions of the tax upon whiskey, and in which many distillers and rectifiers are implicated and awaiting trial. On the result of this trial may turn the fate of a good many others of a similar character to come off. It is pretty evident, however, from the testimony given in this case so far, that Collector Bailey, by whose orders most of the seizures made about a year ago in all parts of the city, bas so fortified the prosecution on all the material points necessary to submit to a court and jary to secure a conviction that it will be found difficult to result it down

found difficult to break it down.
The first witness called was
Colonel Burr Porter, who testified that he made
the seizure of the premises of Watson & Crary;
he was at the time (February, 1868) special agent
authorized to seize liteit sprits.
Cross-exammed—Made the seizure by directions
of Collector Bailey; inspected the contents of the
place; there were a number of empty barrels there
among other property; some of the barrels were
branted.

on the barrels were branded.

Q. What names of inspectors did you see on these empty barrels? A. Inspector Levy, of the Sixth district; saw his name on three or four of the barrels.

Q. Did you take any means to ascertam whether there were any spirits in the barrels branded by Levy? A. Yes; shook and rolled the barrels; had no distinct recollection whether there were bungs in the barrels with Levy? mark; was not very positive about the matter, as he had made a good many segures that day.

the barrers will Levy's mark, was not very possible to matter, as he had made a good many seizures that day.

Q. Did Levy inform you whether the liquor you seized there with his brand on the barrels had been inspected by him on that day or about that time?

The Court struck out the question.

Q. Were the names of inspectors on the other barrels unknown to you? A. I do not remember.

Q. Who gave the information on which you made the selzure? A. I do not recollect that; Mr. Bailey gave me directions to reize it.

Q. Had you any other orders but Mr. Bailey's?

A. No.

Q. What day did you receive his orders? A. On the same day the seizure was made; the seizure was made about twelve o'clock.

Q. Did you tell a man of the name of David Dodd that on the same day you had seized Pike's distillery?

Otherted to

Q. Did you tell a man of the name of David Dodd that on the same day you had serzed Pike's distillery?
Objected to,
Q. When had you the conversation with Dodd?
A. About the 1st of March.
Q. Did you say to Dodd that you had made a good thing out of S. N. Pike?
Objected to,
Q. Did you say to Dodd that you had made \$70.000 of S. N. Pike and that you would make Watson & Crary pay you so much? A. No.
Mr. Courtney objected.
The Court-The question is entirely irrelevant; anything that the witness might have stated to any person inconsistent with his testimony about the empty barrels or other evidence on matters before the court is perfectly competent and relevant, but the general and loose questioning is irrelevant, and has nothing to do with the case.
Mr. Clinton-Does your Honor hold that what a witness has said that he is going to make a party pay so much-and that is the motive of the proseculion—that we cannot show that such was his motive? The authorities are uniform on this point, that not only can you ask a witness questions on his cross-examination with a view to test his credibility, but you can call other witnesses to prove what he said, although you may have not laid a foundation for the contradiction; that is on the ground that the motive of the witness is material as contradistinguished to the collateral—just as much as any fact in the case. Now, your Honor, could a party ever protect himself if he was not allowed to show a motive on the part of a prosecuting witness, when it was known that a motive did exist? Now, if when it was known that a motive did exist; Now, it this witness said he would make these parties—Wat-son & Crary—pay as much as S. N. Pike, have we not a right to prove this and show his motive? Mr. Courtney—The trouble with counsel is that the witness has testified that he made the seizure under Mr. Bailey's directions, and that he knew nothing at all about it till he received directions in the mat-

The Court—The evidence is clearly inadmissible. The Court—The Court of the Cour Q. Do you know who acted as informer in the

Q. Do you know who acted as informer in the case?
Objected to.
The Court—That has nothing to so with the case; the witness has already said he did not know.
4). In any seizure which you made, including this particular seizure, had you any pecuniary interest, directly or indirectly?
Objected to. Sustained.
Joan F. Cheveland, Assessor of the Sixth district, recalled, and testified as to having made a search to ascertain whether Wilson & Crary had made an application for a rectifying license; found an application, dated December 31, 1866, to rectify 1,000 barrels; an assessment was made upon the heense and was paid; the fee was \$500; the next application was made in May, 1867; this application is in court; the heense was for rectifying 2,000 barrels.
Robert A. Verplanck was the next witness—Was a dockbuilder for some ten years; in February, 1868, knew the rectifying distillery of Watson & Crary, on Christopher street.
Q. In February iast did you see any whiskey delivered at Watson & Carry's piace? A. Yes; on the 4th of February I saw four barrels of spirits delivered there; that was about live o'clock in the even-

Ing.

Q. Did you look particularly at the barreis? A.

Yes.

Q. State whether they were branded or not. A.

Four out of the five were branded; the other, the

Iffin, was branded "George E. Hilh."

Q. Did you on any other occasion see spirits de
fivered there? A. Yes; on the 11th February I saw

twonly barrels delivered there on two separate

trucks; I was close enough to see that the barrels

were not branded; the spirits came on the same

truck at two different times; one load came about

half-past four o'clock; the other load came about

half an hour atterwards.

Q. What was done with these twenty barreise

A. They were unloaded and rouled into Watson &

Crary's establishment, 171 Caristopher street.

Q. Did you see any person belonging to the estab
fishment on that occasiony A. Yes; a man put his

head out of a second door window and shouted to

the driver of the truck when he brought the first ten

barrels to hurry back for the others.

Q. The man who drove the truck and delivered

those twenty barrels at 171 Christopher street—did

you see him again after that? If so, where A. I

cannot swear it was the same man I saw at—

Objected to. Objection sustained.

Q. Did you follow the truck after the second load

was unloaded? A. Yes.

Q. Where did you follow it to?

Objected to, Admitted.

A. To sol West Seventeenth street; it stopped in

front of the house adjoining the distallery; there

were two men on the truck when the last ten bar
rela were delivered; the two let on the truck the

driver of the truck took the team away; the other

man weat into the distillery.

Q. Did you see the man—the man that was with

the driver of the truck took the team away; the other

man weat into the distillery.

Q. Did you see the man—the man that was with

the driver of the truck took the team away; the other

man weat sterwards in the distillery on seven
ten between the man that was with

the driver of the truck when in the distillery on seven
ten between the man that was with

the driver of the truck when in the d

wards; I was then in the Seventeens.

lory at a keeper,
Q. What was the name of that person? A.

McCardis.

Objected to,
Q. What was the name of that man that left the
frack and west into the districty and whom you
saw there atterwards? A. I dem't know at that Did you afterwarder

thjected to.
The Court—But you know that man afterwards?
A. Not to a certainty.
One-too rules out.
The witness was subjected to a very lengthy examination, but nothing affecting his direct testimony.

tymeon & Crary's place at clari

Chineen was hert examined. Knew

4th, 5th and 11th of February saw whisky delivered at the distillery—five barrels on the 4th and fourteen on the sta; two of these fourteen were branded, the Job heads of the other twelve were not branded; fidn't know where the spirits came from; on the 11th of February saw 20 barrels of spirits delivered; took notice of the top heads of the last ten barrels, and saw there were no brands on them; the barrels were unloaded and rolled into the place 171 Christopher street; there were two men on the truck; both left on the truck when it was unloaded the second time; followed the truck to 407 West Seventeenth street. The testimony of this witness was similar though briefer than that given by Verplanck, he having been associated with the latter in watching the distillery and following up the parties who nad delivered the winskey.

Nothing important was elicited in the cross-examination of the witness.

The prosecution rested.

OFENING ADDRESS OF COUNSEL FOR THE DEVENCE.

Mr. H. L. Clinton then proceeded to address the jury on behalf of the claimants. He said that a good deal of feeling had been enlisted in the case and the whole machinery of Collector Balley's office and of that of the District Attorney had been brought into requisition to secure, if possible, the condemnation of the goods in question. The great hipsitice in all these classes of cases was that the burden of proving that the goods selzed were tax pald rested with the claimants. In most cases, where the greatest care and exactness were not observed in transacting the whiskey business, it was almost hapossible to do this. With regard to original packages it might be easy to prove whether or not the tax had been palid; but after the removal of the goods for rectifying purposes, after their sale, in many instances, and their passing into several different hands in broken and separate quantities, it was impossible to prove that tax tax had been palid, although such might have ready been the fact. No matter how arbitrarily or capriciously scieures may have

ment had notating to prove beyond the simple thing that the goods were not in a bonded warehouse at the time of such seizure.

Mr. Clinton said that fortinately the claimants were provided with proof that the tax had actually been paid on this very lot of spirits now sought to be condemned for its non-payment; that the barrels containing the spirits had been all branded and bore all the evidence given as to the contrary by the witnesses for the prosecution were utterly untrue. The claimants, counsel further said, had taken extraordinary pains to purchase none but tax-paid goods; that they were business men of long and high standing in the community and incapable of taking advantage of the complications of a law that left so many loopholes to the designing or dishonest man to evade successfully, but which, on the other hand, presented so many opportunities to the captious officers of the law to harass and annoy the straightforward and honest dealer. He hoped to prove conclusively and satisfactorily that the claimants were not only free from the suspicion of frand, but that they were entitled to an immediate verdict at the hands of the jury.

On the conclusion of counsel's address the case was adjourned till this morning, at eleven o'clock.

The Kentucky Bourbon Company Case—A Bench Warrant Issued to Bring the Defendants into Court.

At the opening of the court yesterday Mr. S. G. Courtney, United States District Attorney, applied to the Court for an order directing the clerk to call the defendants in the Kentucky Bourbon Company case so that they shall personally put in an appearance in court. Mr. Courtney said that on the previous day when the defendants were called only two appeared in person, all the others by counsel merely. He in-sisted that the defendants should be compelled to appear in person in conformity with the require-ments of the law, and that appearance of counsel was not sufficient.

was not sufficient.

Judge Blatchford said that these parties must ap-Judge Blatchford said that these parties must appear personally in court whenever called on preliminary to a speedy day of trial, and not by counset only. The clerk then called the names of the defendants, but only one answered in person, Nathan D. Frost. Mr. Courtney then moved that the bonds of the defendants be forfeited. Thus the Court denied, but granted a subsequent motion that a bench warrant be issued to bring the defendants into court.

UNITED STATES COMMISSIGNERS' COURT.

An Illicit Still. Before Commissioner Osborne.

United States vs. Peter Kramer and John Cho bers.-The defendants were caught running au flicit imony showed that the still was owned by Nicholas timony showed that the still was owned by Nicholas Chambers, who is now suffering from severe illness, and that the first named defendant is a poor, ignorant Garman, who had worked in the place but a few days to accommodate the owner, and that the other defendant, a boy of seventeen, a son of the owner, was forced to work there against his will.

The defendants were discharged on their own recognizances and will be used as witnesses against the owner as soon as he is well enough to be arrested.

The Mende Case-Extraordinary Scenes in Court-Leaves from the Diary of an Instant

Asylum. Before Judge Sutherland. In the Matter of the Habeas Corpus for the Production of the Body of Richard W. Meade.—This case, which has been a subject of some public interest and comment during the past ten or twelve days, was brought to a close yesterday upon the proceedings on the return of Dr. Halstead to the order of Judge Sutherland nominating him as a fit and proper person to examine Commodore Meade at the Bloomingdale Asylum for the Insane and to report whether his condition was such that he might safely be brought before the Court. The order modore in a proper condition and so certified to Dr. Brown, physician in charge of the asylum, the latter Brown, physician in charge of the asylum, the latter gentleman should produce the Commodore before the Court at three o'clock P. M., yesterday.

Accordingly the parties interested, including many personal friends and some of Commodore Meade's relatives, assembled before Judge Sutheriand, in the Circuit room, new Court House, the counsel for the relator and the respondent being also present. It will be remembered that the writ of habeas corpus will be remembered that the writ of habeas corpus
in the first instance was granted by Judge Barnard and that on the return day Dr. Brown
certified that Commodore Meade was not in a condition to be brought before the Court without danger
to himself and others. Judge Sutherland not deeming that a full compliance with the writ when the
case came before him at Chambers nominated Dr.
Halstead to report upon his condition, as above

Halstead to report upon his condition, as above stated.

After waiting a short time yesterday afternoon Mr. Waring, on benaif of Commodore Meade, proceeded to open the case, when Judge Sutherland asked if Dr. Halstead and the Commodore Were is court.

Dr. Halstead was present, but Commodore Meade had not been brought in, and counsel stated that ne would be present in a few moments.

Commodore Meade, accompanied by Dr. Brown and three or four friends, shortly made his appearance, and a number of persons who had been seated in the court room at once arose and pressed around him, greeting him warmly and shaking him by the hand. While this-was going on Judge Sutherland quietly stepped from the bench and sauntered over to where the Commodore was receiving the congratulations of his friends, and watched his actions closely as he recognized his old acquaintances and chatted with them in a very familiar tone. The Commodore's deportment was that of any courteons qualitatance with persons he had not seen for some gentiemanof his years, renewing, as it were, an actume.

Judge Sutherland then resumed his seat and at

Commodore's deportment was that of any courteous quaintance with persons he had not seen for some gentiemanof his years, renewing, as it were, an actime.

Judge Sutherland then resumed his seat and at the close of the hand-shaking asked if the Commodore would take a seat beside him on the bench. The Commodore quickly responded, "I will with plensure, Judge," and ascended the dais.

Judge Sutherland, rising, extended his hand and reinarked, "I don't know but that you have forgotten ne, Commodore."

The Commodore took the Judge's hand and, brightening up, replied, "You must pardon me, Judge; but I have been locked up. How do you do, Jadge sutherland?" Unbuttoning his coat and still standing erect he looked good-temperedly at the Judge and said, "I am here, Judge at your command, to be disposed of according to your judgment. I am here, and you can examine ms. I am very much like laul when he appeared before Agrippa. He was present to speak for himself." He then took a seat, and

Mr. Waring proceeded to make a statement that for the first time since the habeas corpus was issued Commodore Meade was before the court, and—

Judge Sutherland asked Mr. Waring what his motion was, and the latter gentieman replied that his motion was that Commodore Meade now be discharged from custody, or that if his Honor thought there was probable cause to hold him he would tommit aim to the care of—

Judge Sutherland asked what papers Mr. Wiring moved on, or if he would state what they were.

Ar. Waring said, "Well, sir, I can state them from the digustre."

Judge Sutherland asked what papers Mr. Wiring moved on, or if he would state what they were all there was probable cause to hold him he would tommit aim to the care of—

Judge Sutherland asked what papers Mr. Wiring moved on, or if he would state what they were all there are not been a full return to the wit.

Judge Sutherland well, never mind. I have read all the papers anomitted to me very carefuliy.

Mr. Waring said if his Honor was not satisfied from the papers now before him t

breast, saying, "I have never been sick at all since I have been locked up. Perfectly well (again patting his breast) all the time, Judge."
Judge Sutherland turned to the Commodore, who had resumed his seat, and said, "How old are you now, Commodore"
The Commodore folded his hands, learning as though reliecting. "I see hy no

The Commodore folded his hands, leaned on the desk and repited as though reflecting, "I see by an affidavit of Mrs. Meade's that I am sixty. I was born in '12, sir—in December—makes me fifty-six.

Judge Sutherland then engaged in conversation, which was mostly inaudible, with the Commodore, in which sundry expressions dropped by the latter were "I have not been permitted to see anybody;" "I recognize those old friends of mine there" (pointing to the other side of the court room), &c. Autherland to the other side of the court room), &c. Autherland called Dr. Halstead to the witness stand, or rather to the area immediately in front of the bench, where he stood and gave his testimony, the location of the witness, flowever, afterwards proving to be such that his testimony, given as it was in a conversational tone, was very difficult to hear.

given as it was in a conversational tone, was very difficult to hear.

George N. Titus, counsel opposing the discharge, asked if this was an examination.

The Judge sand his object was to see the Commodore and talk with him.

Mr. Dewitt, counsel for the relator, said they would waive any cross-examination of winesses.

Mr. Titus then recapitulated some of the original proceedings, and said he had had no opportunity to take testumony save that which had been already submitted to his Honor, and suggested that the Courteither order a reference in the matter or the trial of the cause upon an issue framed by the production of winesses. As to taking testimony here, it was beyond his Honor's power to do so. He deemed this proceeding summary.

Judge Sutherland said he should take the course that he believed proper. He understood what he was about. He understood his duty perfectly. He could understand that there might be a feigned issue framed, for trial before a jury, but he would himself examine Drs. Halstead and Brown, and a gentleman named Senter, if he was here.

Commodore Meade—He is here. I saw him here just now.

Mr. Titus said he did not wish him Honor to understand.

just now.

Mr. Titus said he did not wish his Hopor to understand that he (Mr. Titus) wished to interpose any obstacle to this proceeding.

Judge Sutherland said that in such proceedings as these a good deal must depend upon the facis brought before the Court, what the Court saw, and upon its judgment.

The Commodore here rose, cogitating upon Mr. Titus language, and, clasping his bands, said in a subdued votce, "May it please your Honor—if this is a summary proceeding—i have been fifty-six days a prisoner—" Several of the Commodore's friends waved their hands to him to sit down, and he obeyed the friendly hints.

Dr. Halstead was then sworn to answer truthfully all questions put to him touching "the matter of the alleged unlawful imprisonment of Richard W. Meade." and in answer to interrogatories admitted the receipt of the order directing him to examine the Commodore at the asylum and his obedience thereto. He conversed with the Commodore at that interview and found his memory clear and distinct and his powers of observation quite acute. His deportment was rational, and there were no indications of lack of intelligence on general subjected to an attack of paralysis, and the only danger in bringling him before the Court was that the excitement, if any ensued, might reproduce some of those symptoms. His mind was clear and his memory as distinct as that of almost apy man witness ever conversed with.

Q. by the Court—is it your conclusion, from your

bringing him before the Court was that the excitement, if any ensued, might reproduce some of those symptoms. His mind was clear and his memory as distinct as that of almost any man witness ever conversed with.

Q. by the Court—is it your conclusion, from your observation, that he can be said now to be insane?

A. No; I should judge from his natural manner and from what he told me that the Commodore has been very much distressed in mind about certain circumstances which have occurred of late.

Q. You did not discover any expression of that which would authorize you to pronounce it as evidence of insanity? A. No; none whatever.

Dr. Brown, physician of Biocomingdale Asylum, under whose care the Commodore has been since his commitment in October last. was sworn and directed to state his views, if they differed from Dr. Haistead's opinions in any material respect. He testified that, upon the general questions propounded, he could perceive in the Commodore's mind no positive intellectual delusion; he had no hesitation, however, in saying that the Commodore's mind was disordered, but whether it was such a condition of mind as he would consider a morbid one it was not witness' province to say.

Q. As I understand you I infer that you would hesitate to say that that might not be called insanity?

A. Well, it is a form of insanity.

Q. Have you discovered in your intercourse with him any mental delusion? A. Not unless it be in relation to the facts bearing upon his own case.

Q. Has he imagined things that—for instance, his imprisoument was caused by others than those who did cause it? A. I cannot say that he has.

Q. You have of course discovered, Doctor, that he is a man of excitable temperament naturally? A. Yes, sur. (The Commodore modded assentingly.)

Q. You know also that he has been in the navy, and has been in the habit of dealing with persons in an imperious manner, with saliors and others—you have found him acute and rational? A. I have, sir. (The witness here made some aliusion to the disposition of the Com

nections at the time of his admission as evidences of a form of insanity.

Q. State what he has said on that subject. A. In general terms he has said that there was undoubtedly a combination among his family to do outrage to his name in urging on this case, which was not according to his views of propriety and was oftensive to his name in urging on this case, which was not according to his views of propriety and was oftensive to his views.

Q. Anything else? A. Never any declarations except that he expressed himself in terms of personal animosity towards his wife, and would use personal violence towards his son-in-law.

Q. What were those declarations? A. He told me he went to the Staten Island ferry, expecting there to meet his daughter with her husband, Mr. Landis, and would take her from him by force.

Q. Any threats in reference to other members of his family? A. No, sir.

Q. What of his physical condition and powers? A. He is a man who has suffered an attack of paralysis, and that has had the effect of somewhat impairing his movements and vigor.

Q. Have paralytic attacks any connection with the brain? A. They ordinarily proceed from certain conditions of the brain.

Q. Is there any particular mode in which these effects upon the brain are manifested? A. They produce greater irascibility of temper, which renders the subject liable to a recurrence of such attacks.

Q. Have you seen any evidence of these manifestations in the Commodore since his admission to the asylum? A. In connection with the subject which I have referred to; in other respects I have not.

Q. From what you have observed of him what is your opinion as to the state of his mind? A. I considered him of insanie mind when he was brought to the asylum? A in the subject of his family.

Q. Would you consider that the members of his family would be safe from attacks by him? A. I believe that there was at one time danger or hazard of life or safety to persons connected with his family would be safe from attacks by him? A. I believe that there was at

but at the present time it is my impression that there is not.

Q. How long have you been of this latter belief?
A. About two weeks; there has been certainly a very great change of mind in the Commodore lately upon that subject.

The Commodore here rose very caimly and said he wished to put a few questions to the doctor with the greatest respect, and asked the latter gentleman came on the distribution of the United States Navy, and they all, including himself, discussed "this thing" in the doctor's room, and when it was said to him (the Commodore) that he was going to Washington, he did not tell them all what his feelings were? Did he not say then what his views regarding his treatment of Mr. Corliss and his son-in-law would be? Did he not positively aver at that time that he had no intention of touching his son-in-law? But as a father, with his child taken away from him by a man whom he had never seen, a man who was samigfied into his house, who came in as a lever or as a wedge to divide his family, what could he avoid feeling? But did, he not declare also that he had no mention of interfering with him? That man was brought into his house by his the Commodore's) son, and he had disinterized him for it, but otherwise he told them he did not think of the sabiject.

The witness nodded assent to the interrogatories.

is subject.
The witness nodded assent to the interrogatories.
The Commodore, resuming (sarcastically and with
mphasis).—'Kill my wite's brother! Let them kill
man that is not fit to kill!" He then resumed his Cross-examination continued—He spoke of his son

Cross-examination continued—He spoke of his son Richard in terms of great displeasure, of severe demonation of his conduct; I remember that I expositiated with the Commodore concerning it.

The Commodore again addressed the Court and made a statement, which was partially maudible, to the effect that the cause which led to this was his son's conduct against his father in making the acquaintance of a certain individual within a few days, a man who was brought chandestinely into his house. That he should take to such a man. He (the Commodore) would be lost to all manhood, sir, if he could see it will not take steps to punish it.

Q. by Mr. Fitus—Doctor, I will put this question:—Is he in-sane now, from all you have heard in the asy-

give it."
Judge Sutherland said he would state that Dr.
Brown was somewhat embarrassed by that ques-

tion. Probably he did not like to answer because of the extreme didiculty of legally defining insanity. There were certain peculiar characteristics in this case—the character of the Commodore, his life and circumstances, the circumstances under which he had manifested certain traits—which made the Doc-tor loath to answer as definitely as he otherwise would do.

case—the caracters of the Commodore, his he had manifested certain traits—which made the Doctor leath to answer as definitely as he otherwise would do.

Mr. Titus—Well, the object is of course to satisfy the mind of your Honor.

Cross-examination continued.—Q. Have you known many cases, Doctor, where a man was entirely sane upon all subjects but one, and upon that subject was insane? A. I have. They are not infrequent.

Judge Satheriand said there was always great difficulty in determining these questions of insanity. There was here a man of intellect and education, with most of his faculties ripe and strong as in persons of ordinary condition. It was but natural that a father should love his children, and the law of natural and proper that he should be heard upon the subject of their deducation and protection. It was natural and proper that he should be heard upon the subject of their marrage, especially of his daughters. Here was a man, too, who had spent a portion of his life in commanding others in the most despotic manner on board a man-of-war, a member of one of the first families of the land, and a family imbued with the first principles of honor and family pride. If this affairhad set him to kissing and hugging his daughter and son-in-law in an extreme manner people would have said he was crazy, and if it produced passion and expressions of anger would they not say the same thing. It was an outflowing of feeling in a natural channel, and might produce a condition which would induce the commission of a great crime. The rule had been adopted in the recent case of General cole, at Albany, where the jury found that the prisoner was sane at the moment before and the moment after the commission of the homicide. It was the mode in which a man acted, considering the canses which produced hose actions, which has only the principle of the hone of great crime. The rule had been adopted in the recent case of General cole, at Albany, where the jury found that the prisoner was sane at the moment before and the moment

Judge Sutherland said if Commodore Meade did say what had been charged in the adidavits, and had actually taken his wife's life, he thought the Commodore would have been perfectly and morally resoonst ble, and it would have been one of the greatest crimes he could commit. There was no such thing to be recogized by the law as uncontrollable temper. The real question was, did those bursts of passion proceed from insanity?

Along, desultory discussion here ensued between the Court, counsel and witness upon these questions, and counsel for the respondent intimated a desire to produce other testimony on the subject.

Judge Sutherland decided to exclude any further evidence and ultimately discharged the Commodore, who was warmly congravulated by his friends, and shortly alterwards left the court in their company. him.
Judge Sutherland said if Commodore Meade did

SUPREME COURT-CHAMBERS. The Erie War-Another Armistice.

Before Judge Cardozo.

August Belmont et al. vs. The Eric Railway Company et at .- The motions on the return of the order granted by Judge Cardozo in this case requiring the plainting to show cause why a reargument of the

plaintiffs to show cause why a reargument of the order by Judge Sutherland appointing Henry E. Davies receiver should not be had were again brought before this court this morning.

Ar. E. W. Stoughton, on behalf of the motion, read the order, and said that the motion for reargument was one which, of course, must precede the principal motion to vacate the order appointing the receiver. The motion was one of such importance that he felt congranded to ask his Honor to take it from its regular place on the calendar and give it preference to other business. It was seldom that he askett for a privilege of this nature, but he believed that this was a proper case for the exercise of such power.

asked for a privilege of this nature, but he believed that this was a proper case for the exercise of such power.

James M. Emott, on behalf of the plaintiffs, stated that he expecied counsel associated with him to be present in a few moments. He was not apprised until Mr. Stoughton arose and addressed the Court that the other side intended to ask for any preference on the calendar, and the objection they and presented before was that the case had been accorded preference.

Judge Cardozo said he did not understand that these two motions were to be separated. He now understood counsel to say that there was a motion for a hearing, in case the reargument was permitted; that they had a motion to veach in case a rehearing was permitted. In the case of Appleton vs. Appleton Mr. Brady had shown very clearly that the common law practice was that in the case of a motion for rehearing the two motions were heard in conjunction, because in order to decide whether there should be a rehearing the principal motion must be stated, or the grounds of it.

Mr. Stoughton agreed to that.

Judge Cardozo said he did not intend to separate these motions. Their importance would seem to justify their being set down for some particular time, so that counsel could appear fully prepared. He therefore set them down for Thursday morning, at ten o'clock, and directed that all motions in this case to be heard at this term should be heard at that time.

SUPREME COURT.

ky Judge Cardozo.

ky Judge Cardozo.

Mertens vs. Wellenkamp.—Motion denied.

Slattery vs. Benaix et al.—Motion granted.

Agrellet et al. vs. Erhard.—Motion denied.

Hotchkiss vs. Williams et al.—Motion granted.

Stohr vs. Kernechan.—Motion granted on defend
ant giving stipulation as proposed, and, if so given
motion for reference denied.

Blood vs. Hickcox et al.—Motion granted.

Lorillard Insurance Company vs. Schefer et al.—

Motion granted.

lotion granted.

Hiss vs. Price,—Motion granted.

Giaze vs. Hillard et al.—Motion granted; order to

Gizze vs. Hillard et al.—Motion granted; order to be submitted.
Greenecich Savings Bank vs. Katzenberg et al.—
Motion granted.
Borst vs. Hart.—Application denied.
Repptier vs. Phillips.—Motion granted.
Ctinic vs. Jeffreys.—Reference ordered,
Mutual Life Insurance Company vs. Devlin et al.—
Judgment ordered.
Packer et al vs. Wetzel et al.—Motion granted.
Diokson vs. Craueford.—Motion granted.
Packer vs. Wetzel.—Motion granted.
Veilter vs. Bitss.—Motion granted.
Cighin et al vs. Gissvold.—Motion granted.
Alexander McC. Sitison et al. vs. Oiney.—A receiver may be appointed.
O'Shaughnessy vs. McLaughlin.—Motion granted.
Weythnuser et al vs. Wendeborn et al.—Motion granted.
Woodruff et al vs. Hart.—Motion granted.
Goodstein vs. Goldstein.—Report confirmed and jud gment ordered.

COURT OF GENERAL SESSIONS.

Before Recorder Hackett.

This court resumed its labors yesterday morning Mr. Hutchings conducting the prosecution. Grand Jury of the Oyer and Terminer were discharged he directed that the Grand Jury in attend-ance before him be sworn in. He made no formal charge, simply stating that their attention would be directed to ordinary cases while they remained in session. Mr. Nathan C. Ely was appointed fore-man. charged he directed that the Grand Jury in attend-

session. Mr. Nathan C. Bly was appointed foreman.

Harriet Johnson (colored) pleaded guilty to an indictment charging her with stealing, on the 27th of October, ladder's garmeonts, shirts and pillow cases the aggregate value of which was \$200, the property of Wm. R. Taylor, No. 39 Macdongal street. She was sent to the State Frison for three years.

Richard H. Scott and Henry Mooree, who were indicted for burgiary in the third degree, pleaded guilty to the charge. On the night of the letti of November they burglarlously entered the saloon of John M. Gartfeman and sicle clothing and cigars valued at \$128. The freezwier sentenced each of them to the State Frison for two years and six months.

them to the State Prison for two years and six months.

John Dunn pleaded guilty to an attempt at burglary, the charge being that on the night of the 4th of November he effected an entrance into the store of Robert S. Gould, Jr., 718 Broadway, and stole \$106 worth of clothing. The accused was only sixteen years old, but his Honor said a perusal of the complaint assured him that he was an experienced operator. Dunn was sent to the State Prison for two years.

John Stanley, who was charged with feloniously assaulting Bernard Mehrtens on the 6th of November by stabbing him in the left side and shoulder with a knife, pleaded guilty to a simple assault and battery.

John Mortimer, against whom a charge of grand larcenty was preferred in stealing a piece of merino on the 9th of November from the store of Simon B. Rahnweller, 425 Broadway, pleaded guilty to petty larceny. Stanley and Mortimer were each sent to the Peni-

COURT CALENDAR-THIS DAY.

SUPREME COURT—CIRCUIT.—Part 1.—Nos. 1291, 1413, 1073, 625, 1201, 1331, 1567, 1075, 1077, 1337, 1339, 1333, 1449, 1453, 1467, 1471, 1475, 1477, 1125, 1297, Part 2.—Nos. 1306, 9365, 336, 1060, 1076, 786, 856, 1424, 1176, 812, 1239, 1607, 1354, 624, 768, 1130, 949, 1230, 1692, 886. 1002, 896. SUPREME COUET—SPECIAL TERM.—Nos. 27, 30, 32, 33, 30, 40, 41, 42, 43, 47, 48, 49, 50, 51, 124, 124, 123, 126, 127, 123. 120, 127, 123. SUPERIOR COURT—PART L.—NOS. 267, 357, 433, 423. 317, 230, 209, 427, 431, 441, 446, 447, 449, 453. CITY INTELLIGENCE.

THE WEATHER YESTERDAY .-- The following record will show the changes in the temperature for the

past twenty-four hours, as indicated by the theremometer at Hudnut's pharmacy, 218 Broadway, Herath Building:

3 A. M. 41 6 F. M. 35
6 A. M. 41 6 F. M. 35
9 A. M. 40 9 P. M. 31
12 M. 22
Average temperature Monday. 4324
A Large Metron.—A brilliant white meteor she into the atmosphere at fifteen minutes to ten o'clocal last evening at a point in right ascension of 108 degrees and on north declination twenty-eight degrees, or five degrees south of the lunar star Castor, in the sign of Gemini. It passed over an arc of twenty-two degrees, moving from south to north.

CHECK SWINDLESS.—For some time past a great

CHECK SWINDLERS.—For some time past a great many complaints have been longed at police head-quarters against certain parties who are at present quarters against certain parties who are at present doing a good business by playing the old game known as "fraudulent check passing" with a success that is o'ten quite painful to "the party of the second part" who happens to get one of the checks. The modus operand consists in the swindler's entering, say a clothing store, where he purchases some article of attire worth \$50 or \$60. for which he tenders in payment a certified, and sometimes an uncertified, check on some bank in the city. The check always exceeds the amount of the purchase made, so the consequence never fails to be a good cash balance in the syindler's pocket when he leaves the store. Business men should keep a sharp lookout for these fellows, else there may be cause for grief over "filthy lucre lost."

The Softery of Practical Engineers.—The usual

THE SOCIETY OF PRACTICAL ENGINEERS .- The usual fortnightly meeting of this association was held last evening at room No. 24 Cooper Institute, Mr. James A. Whitney acting as president. A paper was read by Mr. W. P. Harrison on "Improvements in Mining Engineering." After speaking of the pecu-Mining Engineering." After speaking of the peculiar properties of gold and silver, their malleability, beauty and resistance to oxidization the essayist referred to the mode of mining them, referring to the various uses of the pick, the washing pan and the rocker. He gave the result of the washings from the mines of Hungary, Hondurus and California, and explained the four methods of mining now in use—viz., hand tools, fire, gunpower and machinery. With regard to the uses of gunpower he dwelt at considerable length, and contrasted the effect of this material, when used for blasting, with those of nitrogiverine and dynamite. At the close of the paper a short discussion took place, in which Dr. Hall, Mr. Whitney and the essayist took part.

BOARD OF HEALTH.-This Board met yesterday, but transacted business of no particular public,importance. The Registrar of Vital Statistics in his weekly report on the health of the city, says the death rate is far less than usual at this season of the year, and this welcome fact is ascribed as the result of sanitary improvements. The report concludes as follows:—The coroners of New York made returns upon thirty-two inquests, four of which were for deaths by burns or scalds. Other deaths by justly named. "burning fluid" and fancifully named naphthous petroleum are reported in the suburban villages. Few people seem to be aware of the fearfully volatile and inflammable nature of the lighter oils which are obtained with a tempting cheapness from petroleum, but which no community should permit to be sold or used in lamps. The civilized world was for years justly horrified at the voluntary burning of widows upon the funereal pyre of the "Sutce?" in Hindoostan, but the burning of entire families—even the mother and her baoes—by volatile naphtnous oils in our enlightened communities is far more iamentable and crimmal.

FEAST OF THE IMMACULATE CONCEPTION.—The year, and this welcome fact is ascribed as the result

FEAST OF THE IMMACULATE CONCEPTION .- The Catholic Church in this country having been placed by the Pathers of the Church under the especial patronage of the Flessed Virgin, it is but meet that all the festivals devoted to her honor should be here particularly observed. Among those festivals that dedicated to the Immaculate Conception now holds a prominent place. It is the newest holiday in the calendar, having been placed there officially by a decree of his Holiness Pius IX., promulgated belorg the College of Cardinals in 1854, in which the belief in the Immaculate Conception was made an article of the faith and the 8th day of December as the day for the celebration of the especial favor shown by the Aimighty to Mary in preserving her from the stain of original sin. The belief had existen, however, ever since the beginning of the Church and was frequently alluded to by the great writers and teachers of Christianity and even by Mahomet himself. When the 8th of December was set down as the day of the festival it was not declared a holiday of obligation. The recent council at Baltimore, however, deeming it but right that the day should be particularly observed in this country, for the reason given above, formed a decree declaring the festival was celebrated for the first time in accordance with the wishes expressed by the assembled prelates.

At the various churches throughout the chiffen performed special services in honor of the Blessed Virgin to whom the sodaities are dedicated. Dressed in neat and handsome uniforms of white and blue, wearing yells and wreaths of flowers on their heads, the majority of the young ladies partook of the Holy Communion and added to the solemnity and beauty of the celebration by their handsome appearance and charming singing of the exquisite and appropriate hymns and anthems. particularly observed. Among those festivals that

POLICE INTELLIGENCE.

Oliver, of No. 306 Pearl street. It appears that the prisoner called on the comptainant a few days ago and gave him an order on the Navy Paymaster for \$460, that being the amount of his pay as due him as an Assistant Surgeon in the Navy. Oliver advanced \$460 on the order, but discovered that the representations of Merkeil were all faise. As the latter confessed his guilt he was held for trial. BURGLARY.-William Dunn, Charles B. Harris and

William Mallory were brought up at the Essex Market Police Court, charged with burglariously entering the liquor store of Aaron Herzberg, No. 70 Emily Broadway, on the night of the 7th inst., and attempt Ing the liquor store of Aaron Herzberg, No. 70 East.

Broadway, on the night of the 7th inst., and attempting to steal therefrom property valued at \$1,300. The complainant testified that he left his store about six o'clock on Monday evening, after carefully fassiening it and locking the front door, and that on returning at half-past seven the same evening he found a brass skeleton key in the lock. While looking at the key a man who was inside the store sprangupon him, holding him by the back of the next with one hand and placing the other over him mouth. After holding Herzberg a short time the man made his escape by the front door? Dunn (whom the complainant fully recognized) then came forward, and sexing him in the same manner, attempted to escape. Complainant gave chase to the two men and Junn was captured in Market street by officer schroeder, of the Seventiprecinct. The other man escaped. On returning to his store Herzberg found that the outer plate of the safe door had been broken off and the inner plate ilossned. On the foor near the safe the foliowing articles were found:—One large "jimmly," three small "jimmles," a mallet, two bradawis, a cold punn's residence, No. 103 Crossy street, on suspicing of being accomplices in the robbery, but there being no evidence against them they were discharged. Dunn was committed for trial.

BROOKLYN INTELLIGENCE.

FATAL ACCIDENT TO A WELL-KROWN CITIZEN OF QUEENS COUNTY.-Mr. Jacob Mott, a well-known citizen of Queens county, residing at Laurel Hill, was thrown from his wagon in Commercial street, Greenpoint, yesterday morning and instantly killed. Mr. Nott was about sixty-dive years of age. He was universally known and respected on Long Island.

CITY COURT CALENDAR—To-DAY.—Nos. 42, 43, 45,

46, 47, 48, 49, 50, 52, 53, 55, 56, 57, 50, 61, 62, 64, 66, 68, ELECTION FOR CHIEF ENGINEER, WESTERN DIS-FRICT FIRE DEPARTMENT.—The election for Chief. Engineer of the Fire Department for the Westers district was held last evening, and passed off quietly, resulting in the election of John Cuaningham, the present incumbent, over James Guffney. Mr. Cunningham has been connected with an e-Fire Department of Brooklyn for upwards of twenty-five years, and this is the third time that he has been chosen to the present important office, which he has filled in an acceptable manner.

DAMAGES RECOVERED AGAINST A DAUGGIST.Yesterday proceedings were instituted and tests mony was taken against Robert Kennedy, a druggist doing business in South Brooken, in the City Coart, before Judge Phonspson, to recover damages haid at the sum of \$5,000. The action was brought by Thos. Webster, administrator of the estate of Mantida Webster, deceased. Mrs. Webster, the latter maned person, died during the month of October, 1807, from the effect of two grains of morphine, which was sent her by defendant. She had been an invalid for several days previous to her death, suffering from as ague, which had deprived her of rest at night. Her daughter was sent to Kennedy's drug store, on Third avenue, near Seventeenth street, to get something to quiet her nerves, and received from the defendant two grains of morphine in one paper, and this large dose was administered by the daughter—as directed by Kennedy—with fixal resmi. The mother died next day. Kennedy was tried upon two occasions, on the above charge, in the crimmal courts, but the jury disagreed each time, and he was therefore discharged. In the present inquest before a jury the defendant did not appear, and the jury found a verdict in the full amount chained, \$5,000, for plaintiff. doing business in South Brooklyn, in the City Court,